

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

WILLIE JOE MAYES,

Defendant.

CASE NO. CR01-3JCC

PROPOSED FINDINGS OF
FACT AND DETERMINATION
AS TO ALLEGED VIOLATIONS
OF SUPERVISED RELEASE

INTRODUCTION

I conducted a hearing on alleged violations of supervised release in this case on July 27, 2006. The United States was represented by Vincent Lombardi. The defendant was represented by Jay Stansell. The proceedings were recorded on disk.

CONVICTION AND SENTENCE

Defendant had been convicted of Felon in Possession of a Firearm, on or about April 27, 2001. The Hon. John C. Coughenour of this court sentenced Defendant to 60 months of confinement, followed by 5 years of supervised release. Defendant violated of the conditions of supervised release, his sentence was revoked on or about August 9, 2005 and a new sentence of time served plus one day and 4 years of supervised release was imposed.

The conditions of supervised release included requirements that defendant comply with the standard 13 conditions.

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DEFENDANT'S ADMISSION

USPO Michael Banks for Felix Cavillo, Jr. alleged that Defendant violated the conditions of supervised release in three respects:

- (1) Failing to notify the probation officer ten days prior to a change in residence in violation of standard condition number six.
- (2) Failing to submit a written report to the U.S. Probation Office within the first five days of March, April, May, and June 2006, in violation of standard condition number two.
- (3) Failing to report to the U.S. Probation Office as directed to submit to testing to determine if he has reverted to the used of drugs or alcohol during the months of February, March, April, and May 2006, in violation of special condition number four.

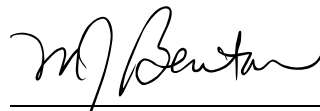
At an initial hearing, I advised the defendant of these charges and of his constitutional rights. At today's hearing Defendant admitted violations one through three, waived any hearing as to whether they occurred, and consented to having the matter set for a disposition hearing before the Hon. John C. Coughenour.

RECOMMENDED FINDINGS AND CONCLUSIONS

Based upon the foregoing, I recommend the court find that Defendant has violated the conditions of his supervised release as alleged and set the matter for a disposition hearing.

Defendant has been detained pending a final determination by the court.

DATED this 31st day of July, 2006.



MONICA J. BENTON
United States Magistrate Judge

cc:	Sentencing Judge	:	Hon. John C. Coughenour
	Assistant U.S. Attorney	:	Vincent Lombardi
	Defense Attorney	:	Jay Stansell
	U. S. Probation Officer	:	Felix Cavillo, Jr.